(a) whether it is a fact that the Supreme Court in it's ruling has stated that employees performing similar jobs, but having higher qualifications can be treated differently; and

(b) if so, the action Government are taking in the light of the judgement by the Supreme Court?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK): (a) The Government has come across newspaper reports about a recent ruling of the Hon'ble Supreme Court on the subject in a case filed by the Government of West Bengal. The Supreme Court has upheld the decision of the West Bengal Government to prescribe different pay scales for sub-assistant engineers having qualifications of Bachelor of Engineering and Diploma in Engineering respectively.

(b) The case did not relate to Union Government. However, the judgement has been noted.

All India Services

869. SHRI RAMACHANDRA KHUNTIA: Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) whether Government propose to make All India Service like IAS, IPS and IFS, all India cadre instead of confining to State cadre; and

(b) whether as per the present system IAS, IPS and IFS cadre can be changed to the advantage of State or the officer concerned?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK): (a) The All India Services are constituted under the All India Services Act and Regulations framed thereunder to serve both the State Governments and Central Government. No fundamental change in the character of the service is contemplated.

(b) An enabling clause for change of allocation of cadre exists in Rule 5 of the Indian Administrative Service (Cadre) Rules, 1954, Indian Police Service (Cadre) Rules, 1954 and Indian Forest Service (Cadre) Rules, 1966.